

Naples City Council

January 12, 2012

Minutes

The regularly scheduled meeting of the Naples City Council was held January 12, 2012, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen, and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Brandi Massey, Cody Perry, Josslynn Barker, Sidney Morgan, Charla Morgan, Jim Harper, Dustin Hughes, Alyssa Lewis, Richard Mendoza, Leslie Sanchez, Vance King, Scott Giles, Representative John Mathis, Craig Blunt, Mark Watkins, Connie Patton, Chris Hoem, and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

OPENING CEREMONY

Gordon Kitchen, Dan Olsen, and Kenneth Reynolds were sworn in for their next four year Council member terms. Nikki Kay administered the oath of office.

S W E A R I N G I N CEREMONY

Mayor Baker asked for approval of the agenda and noted that the Closed Session could be removed from the agenda. Councilman Olsen said he wanted just a little time at the end of the meeting under 'Other Matters', Craig Blunt asked if they could add the road department to the agenda under the travel approval. Gordon Kitchen **moved** to approve the agenda with those corrections. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of December 8, 2011. Dan Olsen **moved** to approve the minutes of December 8, 2011 as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything to discuss or

FOLLOW UP ITEMS FROM

follow up on from the previous meeting. There was no discussion.

PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$112,849.41 and asked for approval to pay them. Dennis Long **moved** to accept the amount of \$112,849.41. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Triple H, Inc. - 826 S 1500 E. A business license application was received from Triple H, Inc. The business is located at the B.H.I. yard. Craig Blunt said everything is fine with the business. Gordon Kitchen **moved** to approve the business license for Triple H, Inc. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVALS

Vance King presented draw #8, the final draw, for the 2500 South road project. Mr. King said the amount remaining due is \$40,091.05. Dan Olsen **moved** to approve the amount presented. Robert Hall **seconded** the motion. Mayor Baker said it is a very nice road and many people have commented on how much they enjoy it. The motion passed with the following vote:

FINAL DRAW FOR 2500 SOUTH ROAD PROJECT

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt said the final bill for the engineers work on the project was also submitted and he asked approval to pay CIVCO Engineering their final amount for this project. The amount presented was \$48,457.59. Dennis Long **moved** to approve payment. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye

Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt explained to those in attendance what the City was doing with the drainage on 1900 South. Craig reported that the contractor has completed the work across 1900 South and the boxes have been set. Craig stated the contractor is not working this week but will resume the project on Monday. Craig asked for ratification of the payment that was made to the contractor in the amount of \$70,000 to pay for materials. Gordon Kitchen **moved** to approve the \$70,000 for material. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Councilman Hall wanted to know about the time frame for the project. Craig said he believed it would be completed in another week and a half. Craig said one issue they might encounter is the elevation of the irrigation pipe that is already running through there. Councilman Hall also asked about the grass. Craig said they will resod. Craig said compaction of the ground may also be an issue with the cold temperatures. Craig stated the project has gone well and most of the utility companies have been good to work with.

Councilman Olsen took just a moment to praise the police and road departments for their response to the recent accident involving the power pole at Maverick.

City Planner - Chris Hoem submitted a travel request to attend a training class at the University of Utah entitled "Evolution of Urban Form." Councilman Hall wanted to know what type of class this would be. Chris stated it was a class to offer ways and strategies to combat urban sprawl and protect rural lifestyles. Kenneth Reynolds **moved** to approve the request of \$30 for travel. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye

DRAW REQUEST AND UPDATE ON 1900 SOUTH DRAINAGE PROJECT

TRAVEL APPROVAL

Gordon Kitchen Aye

Police Department - Manny Escoto submitted a travel request to attend a mobile phone forensics training in California. Chief Watkins stated the class will be used in combination with the computer recovery system training Lieutenant Escoto already attended. Chief Watkins said the system can't do cell phones or smart phones and they want to get the computer software to be able to do those. The requested travel amount was \$5,922. Chief Watkins said he has received a grant that will pay for \$5,000 of it but is requesting the total amount because it is a reimbursable grant and the cost will need to be paid up front. Councilman Kitchen wanted to know how much they are using the new system. Chief Watkins stated they are using it more than they want to be and they have also helped Vernal City on some of their cases. Robert Hall **moved** to approve the travel for the amount requested. Dan Olsen **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Road Department - Jim Harper requested travel approval to take the dump truck to Salt Lake City for diagnosis of a lighting problem and to stay and have it repaired. He said he will be staying with family and just requested \$60 for two days per diem. Dennis Long **moved** to approve the \$60. Kenneth Reynolds **seconded** the motion. Councilman Kitchen wanted to know why they needed to take it to Salt Lake to be worked on and what was wrong with the dump truck. Jim said there was no one in the area that can work on the truck. He said they lost the high beams on the dump truck and the plow. He stated they took the truck to Wheeler's to have them look at it and they couldn't fix it. He was told by Wheeler's that the cab is controlled by computer and the only place that has communication with the computer is a Freightliner dealership and the closest was Salt Lake City. With no other discussion, the motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye

Kenneth Reynolds Aye
Gordon Kitchen Aye

***PUBLIC HEARING TO
DISCUSS CDBG PROJECTS***

Dennis Long **moved** to open a public hearing to receive input regarding projects to be applied for under the 2012/2013 Community Development Block Grant (CDBG) program. Robert Hall **seconded** the motion. The motion passed with all voting aye. Mayor Baker turned the time over to Craig Blunt to lead the discussion. Craig Blunt stated the grant money must be spent on projects benefitting primarily low and moderate income persons.

Craig explained that the Uintah Basin Association of Governments (UBAG), of which Naples City is a member, is expected to receive approximately \$450,000 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG application guide and can be reviewed at any time by anyone interested. Craig reviewed a list of activities that would qualify for projects under the program such as: construction of public works and facilities, fire stations, acquisition of real property for the provision of public services such as food banks or homeless shelters or for low income housing programs. Craig stated that eligible loans for private businesses that hire low income persons can be obtained as well as loans for housing rehabilitation for low income homeowners or for persons owning rental housing for low income persons.

Craig stated that in the past Naples City has received grants for acquisition of land for an elderly assisted living home, land acquisition to support the self-help housing program, fire station upgrades, a fire truck, restrooms at the City park, rehab housing funds, and fire hydrants throughout the City.

The City handed out its capital investment plan as part of the regional Consolidated Plan. This list shows projects the City has identified as needed in the community. At this point Mayor Baker opened the meeting for public comments. A gentleman in attendance asked if the City mainly focuses on one area or if they split up the funds between different projects. Mayor Baker said when the City applies for funds it has to be for a specific project and goes toward what was specified. Mayor Baker said the emphasis lately has been on housing for the elderly and low income housing. Councilman Olsen wanted to know if the Headstart building would qualify under this program. Craig thought it might qualify. Councilman Olsen said it would be nice to try and help them

get started. The Council was in agreement that it is a very good cause and they are a great asset to the community. With no other comments from the public, Dan Olsen **moved** to close the public hearing. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Dan Olsen **moved** to have the City make application to the CDBG for help with the Headstart building. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Craig Blunt explained the need for better lighting along Highway 40 and pointed out that the street lighting is good as you come out the highway from Vernal until you get into Naples where there is a noticeable lack of lighting. Craig believes this is a safety issue and said he has been looking at two sources of funding for lights and estimated the cost of LED lighting from 500 South to 1900 South would be about \$670,000. Craig said the two programs he is applying to for funding is the Joint Highway Commission and the Community Impact Board. Councilman Olsen wanted to know if the traffic surveys conducted in the City could be submitted with the applications. Craig said he could try. Craig stated if the City gets on the project list with the FHWA the project could be funded anytime between now and 2017. Dan Olsen **moved** to approve moving forward with the application to the CIB and FHWA for the lighting project. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***CIB AND FHWA
APPLICATIONS FOR
STREET LIGHTING ON
HWY 40***

Council members received a copy of the latest, one and five year project list for the Community Impact Board (CIB). Mayor Baker asked Councilman Kitchen about the pond project at the Naples Park for the Recreation District. Councilman Kitchen said it was a project that was proposed years ago but will be removed when the Recreation District meets to discuss and update their list. Mayor Baker reviewed some of the projects on the list and thought the sewer upgrade project should be removed from the list. Mayor Baker said they originally put it on the list to help Ashley Valley Water and Sewer. Mayor Baker also thought the street lighting project should be moved to the one year list. Councilman Kitchen asked about the storm drain project. Mayor Baker said two of the projects were currently being worked on by the City. Mayor Baker said the 1500 South drainage still needs to be completed. Councilman Kitchen noted that a street lighting project was also on the two to

***DISCUSSION FOR
COMMUNITY IMPACT
BOARD (CIB) PROJECT
LIST***

five year list and wanted to know why the amount was so much more on this list. Craig stated it was for street lights from 1900 South going south on Hwy 40 and includes a walkway for bikes and pedestrians. Councilman Kitchen wanted to know if it made any difference if the projects stayed on the list or if they took them off. He wanted to know if it had any impact on how the City is perceived by the Impact Board. Councilman Olsen said the City has a lot of needs, it is small and still developing and needs the help. Mayor Baker said the money is split up among the three counties and feels Naples City is more impacted by the oilfield than some of the others who also receive the money. Councilman Hall said the golf course corner could come off the list. The dugway on 1500 South was discussed. Craig thought if the City ever expanded out that way the funds would be needed to upgrade it. The reconstruction of 2500 South was also discussed. Craig said the CIB thinks the canal company should cover the canal and that is why the construction of the west side of 2500 South was given as part loan. It was discussed to move part of the lighting project to the one year list, to remove 2500 South reconstruction from the list, and to consider adding a 1900 South lighting project to the list. Dan Olsen **moved** to approve both lists with the changes as discussed. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Craig Blunt said he understood that the Council moved to install some regulatory signs in the City. He wanted to make sure the requirements were met for placement of the signs. He said part of the process includes a survey and opinion from an Engineer and from the Police Chief. The survey and opinion was received from Chief Watkins but they are still waiting on one from the Engineer. Councilman Kitchen said they should talk to UDOT again for a light at 2500 South. Craig said he would like to wait until about March or April to approach them again. No action was taken on this matter.

Jim Harper asked for approval to expend funds to replace the doors at the City shop. Jim said the front door and both back doors are broken. Jim stated the front needs a new frame and door and the back just needs doors. Jim received two bids for the doors. Robert Hall **moved** to approve the low bid from Jones Paint & Glass. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
-------------	-----

***POLICE AND ENGINEERS
RECOMMENDATION FOR
REGULATORY SIGNS***

***EXPENDITURES IN ROAD
DEPARTMENT***

Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper presented the cost for new banners along Hwy 40. He said the cost of the banners is \$9,627.60 without shipping costs. Kenneth Reynolds **moved** to approve the purchase of the banners plus the cost of shipping. Dennis Long **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim asked for approval to have the dump truck diagnosed and repaired. He said a Freightliner dealership is the only place with the computer equipment capable of diagnosing the problem. Jim stated he contacted Rick Warner Truck in Salt Lake and was given a quote of \$110 per hour for them to diagnose and repair the truck. Jim said they could only guess on the final cost of the repair. Councilman Reynolds said it needs to be done and **moved** to have the truck repaired. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Chris Hoem told the Council that the Planning Commission canceled several meetings last year due to lack of business. He reported that the Planning Commission would like to hold their meetings once a month on the first Tuesday after the first Council meeting in the month. Chris presented the dates the Planning Commission would like to meet. Dennis Long **moved** to approve the change to the Planning Commission meeting schedule. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

CHANGE TO PLANNING COMMISSION MEETING SCHEDULE

Chris Hoem reported that the Planning Commission met with developers for a new Subway Restaurant at two different

FINAL PLAN APPROVAL FOR SUBWAY

meetings and after reviewing all of the plans with them, the Planning Commission recommended final approval for the plan submitted. Chris said the plan covers landscaping, drainage, power, and parking. Dennis Long **moved** to approve the final plans submitted. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Councilman Reynolds wanted to know when they were going to start with the project. Mr. Giles said they wanted to start as soon as possible if the weather permits.

Craig Blunt asked the Council for their thoughts on using some BLM ground out past the Sadlier's property on 1500 South for the purpose of storing excess road construction material. Craig said he has started a discussion with the BLM but didn't want to pursue it if the Council wasn't interested. Councilman Hall wanted to know if they would need to fence the land. Craig said that would probably come later. Craig said this piece of property was up on top and shouldn't interfere with 4-wheelers. Councilman Olsen said he thought it was great and was in favor of it. Gordon Kitchen **moved** to have Craig go forward with the discussions with the BLM. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***DISCUSSION FOR USE OF
BLM LAND FOR STORAGE
OF ROAD BASE***

Mayor Baker referred to a letter received from Herbert Gillespie, the City's current public defender. Mr. Gillespie stated he would no longer be able to continue in this position. The letter stated Mr. Gillespie would continue in the position until July 1, 2012 unless the City found someone to replace him before that date. Robert Hall **moved** to publish a request for proposals in the paper for a new public defender. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***NOTICE FROM PUBLIC
DEFENDER***

Craig Blunt wanted to update the Council regarding fire inspections for the City. Craig said he spoke with Jeremy Raymond, Fire Marshall for the District, and was told the District is going to hire someone to assist with fire inspections. Councilman Hall said Vernal City only wants assistance in doing their fire inspections but thought Naples would need more than assistance. Craig said he is currently doing the major ones but said the assistance would be very appreciated. Councilman Kitchen wanted to know if they would charge Naples for this. Councilman Hall said no, it would be free for the City. Craig said the Council approved this before, he just wanted to let them know it looked more

***UPDATE ON FIRE
INSPECTIONS***

promising. No action was taken.

It was noted that two meetings were coming up to meet with the State Legislature and also an Energy Summit. The first meeting with the Legislature was Rural Legislative Day and the second was Local Official's Day sponsored by ULCT. The Mayor, Councilman Reynolds and Chris Hoem all said they would like to attend the Local Officials Day. Craig Blunt said he would like to attend the Energy Summit in February. It was decided that the Mayor, Councilman Reynolds and Chris would travel out in the City vehicle and use the Mayor's credit card, if needed for the Local Official's Day.

Handouts were given to notify the Council of upcoming NIMS training dates. It was recommended that Council members try and get at least the basic courses.

Councilman Dan Olsen said he attended the narcotic task force meeting with Chief Watkins. Councilman Olsen noted that Chief Watkins is highly respected with the other entities. He said the Chief has very good ideas and they are taken into account when they have discussion. Councilman Olsen reported that the felony drug problem in this area is worse than the Wasatch Front. He stated the City spends a lot of money on the police department but he feels like it is money well spent in equipping and protecting their officers.

Chief Watkins stated that much of the problem with the drug dealers is there is no consequence to their actions, there is nothing to deter them because they aren't serving any jail time when caught. Chief Watkins told Representative Mathis that it would help to have some help on the State level to see if they can't change that. Representative Mathis wanted to know if drug court helped. Chief Watkins said, "yes and no." He said it works well for those who want to change but others use it to their advantage to get out from under the drug charges. Representative Mathis wanted to know the difference in sentencing for drug offences. Chief Watkins said it's usually a difference between the classification of drug and whether or not it's possession or distribution they are charged with. Chief Watkins said they are also noticing an increase in the use of pain killers among High School age kids and also in the purchase of heroin.

Mayor Baker asked if Representative Mathis had anything he would like to share with the Council. Representative John Mathis stated the 2012 legislative session starts soon and he

***OTHER MATTERS
UPCOMING MEETING
AND TRAINING DATES***

***C O M M E N T S B Y
COUNCILMAN OLSEN
REGARDING POLICE
DEPARTMENT***

***COMMENTS FROM
REPRESENTATIVE
MATHIS***

invited the Council members to contact him with any concerns they have regarding upcoming bills. He said it is impossible to keep track of all the bills presented and he would appreciate any contact from them regarding any bills they would like him to follow. Councilman Olsen expressed his appreciation for the manner in which Mr. Mathis represents this area. Representative Mathis said he considers it a privilege. Mayor Baker thanked him for coming to the meeting.

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 9:40 p.m. Dennis Long **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 26th DAY OF JANUARY 2012

BY: _____

ATTEST: _____